

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anneliese Mayer on August 6, 2008.

The application has been amended as follows:

Cancel claims 1-2;

Claim 3, line 1, after "The" delete "composition: and insert therefore ---binding agent;

After "claim" delete therefore "1" and insert therefore -36—

Claim 4, line 1, after "The" delete "composition" and insert therefore ---binding agent---

After "claim" delete therefore "1" and insert therefore -36---

Cancel claims 7-18;

Claim 19, line 1, after "The" delete "composition" and insert therefore ---binding agent--;

After "claim" delete "1" and insert therefore ---36----

After "present" delete therefore "in the composition";

And after "wt.%" delete "of the total composition";

Claim 20, line 1, after "The" delete "composition" and insert therefore ---binding agent--;

After "claim" delete "1" and insert therefore ---36----;

After "present" delete therefore "in the composition";

And after "wt.%" delete "of the total composition";

Claim 21, line 1, after "The" delete "composition" and insert therefore ---binding agent--;

After "claim" delete "1" and insert therefore ---36----;

After "present" delete therefore "in the composition";

And after "wt.%" delete "of the total composition";

Claim 22, line 1, after "The" delete "composition" and insert therefore ---binding agent--;

After "claim" delete "1" and insert therefore ---36----;

After "present" delete therefore "in the composition";

And after "wt.%" delete "of the total composition";

Cancel claims 23-32;

Cancel 34-35; and

Cancel claims 38-69.

2. The following is an examiner's statement of reasons for allowance: Applicant's amendment requires a transitional phrase of "consisting of" which limits the claimed invention to only the ingredients specified therein. The prior art of record requires

additional ingredients outside the scope of the claimed invention. Accordingly, the claims are allowable over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Necholus Ogden, Jr. whose telephone number is 571-272-1322. The examiner can normally be reached on M-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Necholus Ogden, Jr./

Application/Control Number: 10/826,430  
Art Unit: 1796

Page 5

Primary Examiner  
Art Unit 1796

8-6-2008